

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 3099\***

**House Bill No. 2927**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting Sections 1 through 6 of the printed bill, by appropriately redesignating the effective date section, and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-1-141 (Chapter 285 of the Public Acts of 1985, as amended) and Tennessee Code Annotated, Section 36-1-139 (Chapter 360 of the Public Acts of 1979, as amended), are revived as appropriately designated subsections of Tennessee Code Annotated, Title 36, Chapter 1, Part 1, and shall apply to adoptions finalized between March 16, 1951 and July 1, 1996, with the following modifications:

Notwithstanding any provision of law to the contrary, upon written request by the biological parent or biological sibling of an adopted person who is twenty-one (21) years of age or older or the legal representative of such persons, the department shall search sealed adoption records in its possession for information concerning the location of the adopted person.

Upon locating the adopted person, the department shall notify the adopted person of the inquiry by the biological parent or sibling or the legal representative of such persons. If for any reason, the adopted person objects, then no information contained in the sealed adoption records shall be disclosed. If the adopted person consents, the biological parent or sibling or the legal representative of such persons shall be supplied with the adopted name, address and other identifying information concerning the adopted person contained in the sealed adoption records.

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SECTION 2. All records of adoptions made prior to March 16, 1951 by the Tennessee children's home society may be searched by an adopted person who is twenty-one (21) years of age or older, the biological parent of an adopted person or the biological sibling of an adopted person who is twenty-one (21) years of age or older or the legal representative of such persons, pursuant to § 36-1-127.

SECTION 3. Notwithstanding any other provisions of law to the contrary, the contact veto provisions of Chapter 532 of the Public Acts of 1995, as amended, shall apply to adoptions finalized on or after July 1, 1996, with the following modifications:

No identifying information shall be released as to any person who files a contact veto or for whom a contact veto otherwise applies pursuant to this part. Any person who files a contact veto or any other person to whom such veto applies can subsequently withdraw the veto. If the veto is withdrawn then identifying information can be released as to that person.

SECTION 4. As used in this act, unless the context otherwise requires:

(a) "Identifying information" means and shall be limited to the following, if reasonably ascertainable:

- (1) Name of the child before placement in adoption;
- (2) Name of each biological parent at the time of termination of parental rights;
- (3) The most recent name and address of each biological parent;
- (4) Names of the biological siblings at time of termination;

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(5) Name and address of the adopted adult who consented to disclosure of "identifying information" pursuant to this act; and

(6) Current name, address, and telephone number of all the persons who have consented to contact.

SECTION 5. Nothing in this act shall impair the access of an adopted person to such person's medical records as otherwise provided by Chapter 532 of the Public Acts of 1995, as amended.

SECTION 6. Upon passage of this act, the code commission shall have the authority to reference and make changes to any volume of the Tennessee Code Annotated that are necessary to codify the provisions of this act, provided such changes does not substantively change existing law.

This amendment would rewrite the printed bill and would make changes to the contact veto provisions of the 1995 adoption law revisions (Chapter 532 of the Public Acts of 1995).

This amendment would permit the biological parents or biological siblings of an adopted person who is 21 years of age or older (or such adopted person's legal representative) to request that DHS search sealed adoption records for information relative to the adopted person. If the department locates the adopted person and such person does not object, the department shall supply the requester with the person's adopted name, address or other identifying information

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contained in the records. If for any reason the adopted person objects, no identifying information contained in the records shall be disclosed. This provision shall apply to adoptions finalized between March 16, 1951 and July 1, 1996.

This amendment would also open all of the adopted records of persons placed for adoption by the Tennessee Children's Home.

For adoptions made after July 1, 1996, the contact veto provisions of the 1995 act shall apply with one principal modification; i.e., no identifying information shall be released as to any person who files a contact veto or as to any person for whom a contact veto otherwise applies. Any person who files a contact veto may subsequently withdraw the veto and identifying information then may be supplied.

Nothing in this bill impairs access of an adopted person to such person's medical records (currently available by law).